

# Notice of Allowability

Application No.

10/767,353

Examiner

Faye Francis

Applicant(s)

HARLOW, DALE

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 10/4/05.
2. ☒ The allowed claim(s) is/are 1-13.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date herein.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

1. Applicant's election without traverse of group I in the reply filed on 10/4/05 is acknowledged.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Edwin Crabtree on Friday October 21, 2005.

The application has been amended as follows:

1. Claims 14-20 have been cancelled.
2. In claim 1 lines 1-2, "such as grain, feed and other soft bulk items stored in a silo bin and other large storage facilities" has been replaced with --stored in a silo bin --.
3. In claim 3 line 2, "and greater" has been deleted.
4. In claim 7 line 3, "soft" has been deleted.
5. In claim 8 lines 1-2, "such as grain, feed and other soft bulk items stored in a silo bin and other large storage facilities" has been replaced with --stored in a silo bin --.
6. In claim 8 line 2 from the bottom, "and" has been deleted.
7. In claim 9 line 2, "and greater" has been deleted.
8. In claim 13 line 3, "soft" has been deleted.

9. In the Specification: page 3, line 3 of the third paragraph --, in a range of 2 to 4 inches-- has been added after "access hole".

10. The entire Abstract has been replaced with --A silo bin drilling system used for unclogging bulk material in a silo bin. The drilling system includes a hydraulic drill with drill motor. The drill is mounted above an access hole in a top portion of the bin. An access door in a bottom of the bin is used for forming a lower bin cavity in the material. The system also includes a pipe string. The pipe string is attached to a pipe string motor. A bottom of the pipe string is attached to a drill bit with foldable blades. The drill bit is used for drilling a cavity access hole through the clogged bulk material into the lower bin cavity. The pipe string motor then moves the drill bit with unfolded blades upwardly through the material drilling a large diameter raise hole until the clogged material collapses in the bin. --

3. The following is an examiner's statement of reasons for allowance:

Claims 1 and 8 have been found to be allowable over the prior art of record because the prior art fails to teach or suggest a method of unclogging clogged bulk material stored in a silo, the steps comprising: drilling downwardly a small diameter cavity access hole through the clogged bulk material and drilling upwardly a large diameter raise hole in the clogged bulk material, in combination with the remaining limitations of the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faye Francis whose telephone number is 571-272-4423. The examiner can normally be reached on M-F 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on 571-272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Faye Francis

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